

R. Michael Flynn SBN 258732  
FLYNN LAW OFFICE  
**\*NOTE NEW ADDRESS\***  
432 Ninth St Ste 200  
Oakland, CA 94607  
Tel: 510-893-3226  
Fax: 510-625-8275  
Email: rmflynnlaw@gmail.com

Attorneys for Plaintiffs DANIEL SPALDING, KATHARINE LONCKE, DANIELLE LOPEZ  
GREEN, ADRIAN DRUMMOND-COLE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DANIEL SPALDING, KATHARINE  
LONCKE, DANIELLE LOPEZ GREEN,  
ADRIAN DRUMMOND-COLE, individually  
and on behalf of all others similarly situated,

Plaintiffs,

vs.

CITY OF OAKLAND, COUNTY OF  
ALAMEDA, ANTHONY BATTS, HOWARD  
JORDAN, JEFF ISRAEL, ERIC BRESHEARS,  
EDWARD TRACEY, ANTHONY TORIBIO,  
DAVID DOWNING, ERSIE JOYNER, MIKE  
POIRIER, DARRIN ALLISON, GREGORY  
AHERN, individually and in their official  
capacities, and DOES 1-250, inclusive,

Defendants.

) Case No.: C11-02867 TEH

) **STIPULATED ~~PROPOSED~~**  
) **SUPPLEMENTAL ORDER OF**  
) **EXONERATION AND TO SEAL AND**  
) **DESTROY ARREST RECORDS**

) Dept.: Courtroom 12, 19<sup>th</sup> Floor  
) Judge: Hon. Thelton Henderson

) Complaint Filed: June 13, 2011

The undersigned, the attorneys for the parties herein, hereby stipulate as follows:

That they have reviewed the Proposed Supplemental Order of Exoneration and to Seal and  
Destroy Records below and no party to this litigation objects to the Supplemental Order of  
Exoneration.

1 DATED: September 26, 2013

2 BOORNAZIAN, JENSEN & GARTHE  
3 A Professional Corporation

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5 By: /s/ Gregory J. Rockwell  
6 GREGORY J. ROCKWELL, ESQ.  
7 Attorneys for Defendants  
COUNTY OF ALAMEDA and  
GREGORY AHERN

8 DATED: September 26, 2013

9 BARBARA J. PARKER, CITY ATTORNEY,  
10 CITY OF OAKLAND

11 By: /s/ William E. Simmons  
12 WILLIAM E. SIMMONS, ESQ.  
13 Attorneys for Defendants  
CITY OF OAKLAND, et al.

14 DATED: September 26, 2013

15 FLYNN LAW OFFICE

16  
17 By: /s/ R. Michael Flynn  
18 R. MICHAEL FLYNN, ESQ.  
19 Attorneys for Plaintiffs  
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Pursuant to the Stipulation of the City of Oakland and former Chief of Police Howard Jordan on behalf of the arresting agency, the Oakland Police Department: this Court hereby exonerates and finds SAMMIE JORDAN factually innocent of all charges for which he was arrested by the Oakland Police on November 5, 2010.

Having found SAMMIE JORDAN to be factually innocent of the charges for which the arrest was made, this Court orders Defendants, the California Department of Justice, and any other law enforcement agency that participated in the arrest of JORDAN on November 5, 2010, to seal all records of his arrest on November 5, 2010, and to destroy said records. Cal. Penal Code § 851.8(b).

The destruction of arrest records pursuant to this Court's order

shall be accomplished by permanent obliteration of all entries or notations upon the records pertaining to the arrest, and the record shall be prepared again so that it appears that the arrest never occurred. However, where (1) the only entries on the record pertain to the arrest and (2) the record can be destroyed without necessarily affecting the destruction of other records, the document constituting the record shall be physically destroyed.

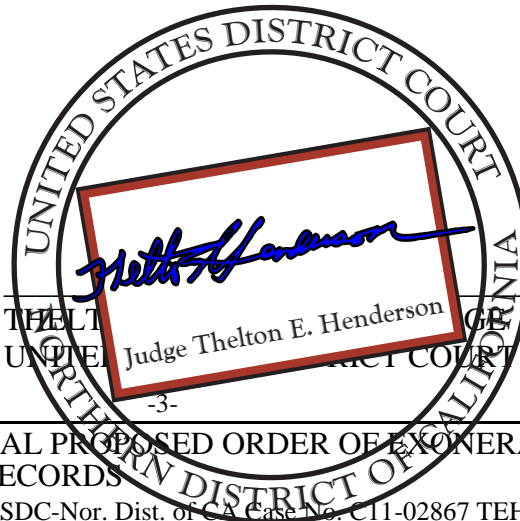
Cal. Penal Code § 851.8(j).

The arrest of SAMMIE JORDAN on November 5, 2010, is "deemed not to have occurred," and, pursuant to this Court's order, JORDAN "may answer accordingly any question relating to its occurrence." Cal. Penal Code § 851.8(f).

Defendants are ordered to provide a copy of this order to the California Department of Justice and to advise said agency of the fact that the records of SAMMIE JORDAN's arrest have been rendered obsolete on the basis of a finding of factual innocence pursuant to California Penal Code section 851.8.

IT IS SO ORDERED.

Dated: 09/30/2013



STIPULATION ON SUPPLEMENTAL PROPOSED ORDER OF EXONERATION AND TO SEAL AND DESTROY ARREST RECORDS

*Spalding, et al. vs. City of Oakland, et al.*; USDC-Nor. Dist. of CA Case No. C11-02867 TEH